

REMARKS

Applicant thanks the Examiner for the thorough consideration given the present application. Claims 1-19 are currently being prosecuted. The Examiner is respectfully requested to reconsider his Restriction Requirement in view of the remarks as set forth hereinbelow.

PATENT COOPERATION TREATY

Again, it is respectfully pointed out that the present application entered into the national phase before the USPTO based on a PCT application. Thus, the rules that apply to the present application with regard to unity of invention are set forth in 37 CFR §§ 1.475 to 1.477.

As set forth in 37 CFR § 1.475(a), an international and a national stage application shall relate to one invention only or to a group of inventions so linked as to form a single general inventive concept. On January 18, 2008 the Examiner was provided with a copy of International Preliminary Report on Patentability issued by the International Bureau on November 6, 2007. In the Report on Patentability, the International Bureau maintained all of the claims in a single application based on the fact that the claims were so linked so as to form a single general inventive concept with the same corresponding special features.

It is respectfully submitted that the present application does include claims that are so linked so as to form a single general inventive concept. The Examiner contends that a

restriction is required in view of limitations in the dependent claims that depend back and either further restrict or limit independent claims 1 and 11. The limitations identified by the Examiner relating to a cylindrical pin with a flat side, two flat surfaces, a circular housing, a proximal end with a slot, moving the locking pliers away from the power tool, a clamping tool with a rotary saw power tool, a serrated member or a slot further limit the independent claims. The dependent claims are not believed to be properly restricted. The Examiner is respectfully requested to reconsider his restriction requirement.

In order to be responsive to the Examiner's restriction requirement, claims 1, 2, 11 and 12 have been elected. However, it is respectfully submitted that the Examiner should act on claims 1-8 and 10-18 as requested in Applicant's response to the Examiner's election of species requirement. In addition, if claims 1 and 11 are considered to be allowable, the Examiner should rejoin claims 2-10 and 12-19 and allow all of the claims in the present application.

INFORMATION DISCLOSURE STATEMENT

The Examiner is respectfully requested to consider the Information Disclosure Statements filed on October 3, 2007. The Examiner should initial and return the form PTO-1449 to the undersigned

DRAWINGS

The Examiner has not approved the Formal Drawings submitted by the Applicant. The Examiner should approve the Formal Drawings in the next Office Action.

Favorable action on the present application is earnestly solicited.

Application No.: 10/563,809
Office Action dated October 28, 2008
Response filed December 24, 2008

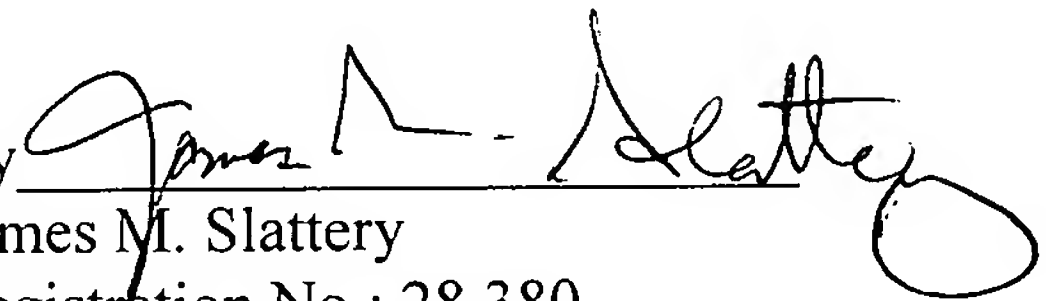
Docket No.: 0671-0106PUS2
Art Unit: 3724
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- ☒ Attached is a Petition for Extension of Time.
- ☒ Attached hereto is the fee transmittal listing the required fees.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: December 24, 2008

Respectfully submitted,

By 
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